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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 KOHEN DIALLO UHURU,

12 Plaintiff,

13 v.

14 J. BENAVIDEZ, et al.,

15 Defendants.  
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No. 2:22-cv-0784-TLN-DMC

**ORDER**

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C.  
18 § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District  
19 of California local rules.

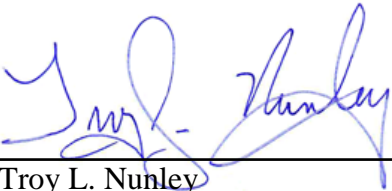
20 On June 25, 2024, the Magistrate Judge filed findings and recommendations herein which  
21 were served on the parties, and which contained notice that the parties may file objections within  
22 the time specified therein. (ECF No. 43.) Plaintiff filed objections to the findings and  
23 recommendations, which the Court considered. (ECF No. 44.)

24 The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602  
25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.  
26 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed  
27 the file, the Court finds the findings and recommendations to be supported by the record and by  
28 the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations, filed on June 25, 2024 (ECF No. 43) are ADOPTED IN FULL;
2. Plaintiff's Motion for Leave to Proceed In Forma Pauperis (ECF No.2) is DENIED;
3. Plaintiff shall pay the full filing fee of \$405.00<sup>1</sup> within thirty days of the electronic filing date of this Order; and
4. This matter is referred back to the assigned magistrate judge for further pre-trial proceedings.

Date: August 5, 2024



Troy L. Nunley  
United States District Judge

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<sup>1</sup> The magistrate judge's findings and recommendations incorrectly indicate the filing fee for litigants who are not proceeding in forma pauperis is \$350.00.